

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought in the invention entitled:

GENE TARGETING IN ANIMAL CELLS USING ISOGENIC DNA CONSTRUCTS

the specification of which ☐ is attached hereto or ☒ was filed on August 20, 1991 as Application Serial No. 07/748,342 and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. 119
none			Yes _____ No _____
			Yes _____ No _____

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	DATE OF FILING	STATUS
none		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) who are partners and associates in the firm of Townsend and Townsend to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223
Albert J. Hillman, Reg. No. 20,134
James M. Heslin, Reg. No. 29,541

SEND CORRESPONDENCE TO:

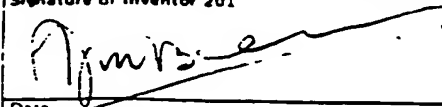

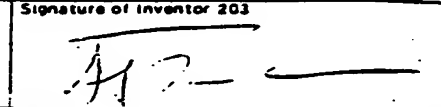
William M. Smith
TOWNSEND and TOWNSEND
Steuart Street Tower, One Market Plaza
San Francisco, CA 94105

DIRECT TELEPHONE CALLS TO:

(name, registration number, and telephone number)
William M. Smith
Reg. No. 30,223
☐ (415) 543-9600 or ☒ (415) 326-2400

201	FULL NAME OF INVENTOR	Last Name Berns	First Name Anton	Middle Name or Initial
	RESIDENCE & CITIZENSHIP	City Spaarndam	State or Foreign Country The Netherlands	Country of Citizenship The Netherlands
	POST OFFICE ADDRESS	Post Office Address Floris Balthasarstraat 2	City 2064 XP Spaarndam	State or Country The Netherlands
202	FULL NAME OF INVENTOR	Last Name Robanus Maandag	First Name Els	Middle Name or Initial
	RESIDENCE & CITIZENSHIP	City Haarlem	State or Foreign Country The Netherlands	Country of Citizenship The Netherlands
	POST OFFICE ADDRESS	Post Office Address Suttnerstraat 89	City 2037 LG Haarlem	State or Country The Netherlands
203	FULL NAME OF INVENTOR	Last Name te Riele	First Name Hein	Middle Name or Initial
	RESIDENCE & CITIZENSHIP	City Amsterdam	State or Foreign Country The Netherlands	Country of Citizenship The Netherlands
	POST OFFICE ADDRESS	Post Office Address Da Costakade 128	City 1053 XB Amsterdam	State or Country The Netherlands

I further declare that all statements made herein of my own knowledge are true and that all statements made in information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of inventor 201	Signature of inventor 202	Signature of inventor 203
		
Date 12/2/1991	Date 12/2/1991	Date 12/2/1991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Berns et al.

Serial No.: 09/253,818

Group Art Unit: 1632

Filed: February 19, 1999

Examiner: Woitach, Joseph T.

For: **HIGH EFFICIENCY GENE TARGETING** Attorney Docket No.: 8535-055-999
IN MOUSE EMBRYONIC STEM CELLS

REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

The undersigned assignee of the entire interest in the above-identified subject application hereby revokes all previous powers of attorney and appoints Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), Kenneth L. Stein (Reg. No. 38704), Nanda K. Alapati (Reg. No. 39,893),

NY2-1361260.1

BEST AVAILABLE COPY

Andrew J. Gray (Reg. No. 41,796), Henry C. Lebowitz (Reg. No. 36,196) and Karen G. Horowitz (Reg. No. 35,199), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them its attorneys, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to Pennie & Edmonds LLP, located at 1155 Avenue of the Americas, New York, N.Y. 10036-2711, and direct all telephone calls to Pennie & Edmonds LLP at (212) 790-9090.

Respectfully submitted,

Date:

10/16/02

By:

W. Bradford Middlekauff

W. Bradford Middlekauff, J.D.
Senior Vice President, General Counsel and Secretary

GENPHARM INTERNATIONAL, INC.
2375 Garcia Avenue
Mountain View
California 94043

NY2-1361260.1

*** TOTAL PAGE.03 ***

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, ANTON BERNS, residing at Floris Balthasarstraat 2, 2064 XP Spaarndam,

(name and addresses of inventors as they appear on application Declaration)

The Netherlands; ELS ROBANUS MAANDAG, residing at Suttnerstraat 89, 2037 LG Haarlem,

The Netherlands; and HEIN TE RIELE, residing at Da Costakade 128, 1053 XB Amsterdam,
The Netherlands

hereinafter referred to as "Assignors", are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of invention: GENE TARGETING IN ANIMAL CELLS USING ISOGENIC DNA CONSTRUCTS

Date(s) of execution: 12/2/91

Filing date: August 20, 1991 Serial No. 07/748,342; and

WHEREAS, GENPHARM INTERNATIONAL, INC. of 2375 Garcia Avenue,

(name and address of Assignee)

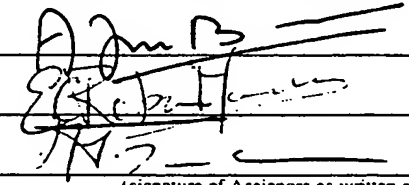
Mountain View, California 94043

hereinafter referred to as "Assignee", is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same:

FOR good and valuable consideration, receipt of which is hereby acknowledged by Assignors. Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


(signature of Assignors as written above)

12/2/1991
12/2/1991
12/2/91
(dates)

STATE OF _____)
COUNTY OF _____) SS.

Before me _____, a Notary Public, duly commissioned and sworn, personally appeared

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person() whose name() _____
are subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the _____

County of _____ on the date set forth in this certificate.

Notary Public

My commission expires:

TOWNSEND and TOWNSEND
One Market Plaza
Steuart Street Tower, 20th Floor
San Francisco, California 94105